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*Attorneys for defendant Malia M. Cohen, in her official capacity as
California State Controller*

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

JAN PETERS,

Plaintiff,

vs.

MALIA M. COHEN, in her official
capacity as Controller of the State of
California,

Defendant.

Case No.: 2:22-cv-00266-JAM-DB

**STIPULATION AND ORDER
DISPOSITIVE MOTION FILING
DEADLINE**

(Hon. Judge John A. Mendez)

Action Filed: June 17, 2021

Trial Date: March 18, 2024

1 Plaintiff Jan Peters (“Plaintiff” or “Mr. Peters”) and defendant Hon. Controller Malia M.
2 Cohen (“Defendant” or “Controller”), in her official capacity as Controller of the State of
3 California, by and through their counsel of record whose signatures appear below, jointly submit
4 the following Stipulation to continue the dispositive motion filing deadline date set by the Court
5 in its Scheduling Order dated April 6, 2023 (DKT No. 56). Counsel for the parties are working
6 very professionally together and met and conferred to discuss the following issues on September
7 14, 2023. The Stipulation is made pursuant to Federal Rules of Civil Procedure Rules 6(b) and
8 16(b)(4) and Eastern District Civil Local Rule 144. Prior to filing this Stipulation, counsel
9 complied with the Court’s July 27, 2023 Order (DKT No. 59) and received authorization to
10 proceed with the filing of the Stipulation and Order.
11

12 **I. BACKGROUND**

13
14 Plaintiff and Defendant have completed discovery and the necessary depositions. Counsel
15 to the parties have met and conferred and discussed the issues of this case and believe that
16 dispositive countermotions will narrow the issues or conclude the case. However, the parties have
17 not received all the deposition transcripts from the Court Reporters and require additional time for
18 review.
19

20 **II. STIPULATION OF PARTIES TO CONTINUE THE PRE-TRIAL DATES BASED** 21 **ON GOOD CAUSE**

22 The parties stipulate and agree to a short continuance of the dispositive motion filing
23 deadline date by fourteen (14) days. The parties have been complying with the current dates and
24 deadlines set forth in the Court’s case schedule. A short continuance of the dispositive motion
25 filing deadline would serve to avoid any potential fees and costs, as well as waste of judicial
26 resources and time. To this end, the parties stipulate and propose a fourteen (14) day continuance
27 of the dispositive motion filing deadline date as follows:
28

Event	Current Date	Proposed New Date
Dispositive Motion Filing Deadline	September 29, 2023	October 13, 2023

Federal Rules of Civil Procedure 6(b), 16(a) and 16(b)(4) give the Court broad discretion to regulate pre-trial matters, to manage its calendar, grant continuance of scheduling dates, and to direct the parties in a manner that expedites disposition of the action and facilitates settlement. As set forth herein, good cause exists for the Court to grant this continuance.

Dated: September 15, 2023

Respectfully submitted,

/s/ William W. Palmer

WILLIAM W. PALMER

PALMER LAW GROUP, a PLC

Attorneys for plaintiff Jan Peters

/s/ Jerry T. Yen

JERRY T. YEN

Deputy Attorney General

**OFFICE OF THE CALIFORNIA ATTORNEY
GENERAL**

*Attorneys for defendant Malia M. Cohen, in her official
capacity as California State Controller*

ORDER

Based on the foregoing Stipulation and good cause appearing therefore, IT IS HEREBY ORDERED that the dispositive motion filing deadline date be, and the same hereby is, revised as follows:

Event	Current Date	New Date
Dispositive Motion Filing Deadline	September 29, 2023	October 13, 2023

IT IS SO ORDERED

Dated: September 20, 2023

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ
SENIOR UNITED STATES DISTRICT JUDGE